

**STAFF MEETING MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
COUNTY-CITY BUILDING  
ROOM 113  
THURSDAY, OCTOBER 26, 2006  
8:30 A.M.**

Commissioners Present: Deb Schorr, Chair  
Bob Workman, Vice Chair  
Larry Hudkins  
Bernie Heier

Commissioners Absent: Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer  
Gwen Thorpe, Deputy Chief Administrative Officer  
Trish Owen, Chief Deputy County Clerk  
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:33 a.m.

**AGENDA ITEM**

**1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, OCTOBER 24, 2006**

**MOTION:** Heier moved and Hudkins seconded approval of the Staff Meeting minutes dated October 24, 2006. Hudkins, Workman, Heier and Schorr voted aye. Motion carried.

**2 ADDITIONS TO THE AGENDA**

- A. Motorsports Task Force Report
- B. Tri-County Meeting Date (Exhibit A)
- C. November Management Team Meeting
- D. John Maher, the New Lincoln Journal Star Publisher

**MOTION:** Hudkins moved and Heier seconded approval of the additions to the agenda. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

**3 BUDGET AND FISCAL OFFICER POSITION** - Don Taute, Personnel Director; Pat Kant, Personnel Coordinator; Barb Boggs, Employment Technician; Dave Kroeker, Budget and Fiscal Officer

General discussion took place regarding the response to the Budget and Fiscal Officer job opening. There was general consensus to interview the top five or six candidates on November 14<sup>th</sup>, beginning at 7:30 a.m. and immediately following the 9:30 a.m. Board of Commissioners Meeting and to include Dave Kroeker, Budget and Fiscal Officer; Kerry Eagan, Chief Administrative Officer, and Gwen Thorpe, Deputy Chief Administrative Officer, in the interviews.

**MOTION:** Hudkins moved and Heier seconded to authorize funds for the Personnel Department to order a state and national criminal background check of the top candidates. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

Kroeker indicated a willingness to work part-time, as an independent contractor, to assist the new Budget and Fiscal Officer, during the transition.

**4 A) JUVENILE REPRESENTATION STANDARDS; AND B) TERMINATION OF MORRIS AND TITUS CONTRACT** - Dennis Keefe, Public Defender

A) Juvenile Representation Standards

Dennis Keefe, Public Defender, noted that concerns had been expressed regarding the quality of juvenile representation and said there are a number of related issues: 1) Overall quality of legal services being provided, including issues of clients in detention; 2) Fairness of the compensation paid to contractors; 3) The impact that proposed state standards will have on the quality of legal services and the cost of legal services in Juvenile Court; and 4) The need for a Juvenile Court Administrator, in part due to the growth in contracts and the resulting need to manage appointments under the contracts (Exhibit B).

Keefe recommended that the Board: 1) Authorize a study of these issues by an independent entity (American Bar Association, National Legal Aid and Defender Association or a private research firm) at a cost not to exceed \$20,000; and 2) Refer the matter to the Lancaster County Indigent Defense Advisory Committee to review the research from the study and make recommendations to the Board.

Keefe said he does not have funds in his budget for the study.

Hudkins said he would prefer to wait until the state standards come out. He suggested that it would be more appropriate to consider the request at mid-year.

Keefe said he is trying to be pro-active and fears that the County may lose other contractors.

Hudkins said he has heard concerns expressed regarding the quality of representation and has also heard lawyers say they would "like to have a crack at" the contracts.

Keefe asked Hudkins to share their names with him.

Hudkins said he has heard from county attorneys across the state that there are young attorneys that are interested. He suggested that Keefe consider recruiting attorneys through the Law College.

Schorr said it appears that the Board is interested in recruiting another contractor, waiting to see what the new state standards are and doing an re-analysis of the request at mid-year.

Board members indicated that her summary is correct.

#### B) Termination of Morris and Titus Contract

Keefe reported that Morris and Titus has exercised their option under the contract to terminate the agreement (Exhibit C). The agreement will terminate in 120 days and the County will need to find a replacement contractor. He said the Lancaster County Indigent Defense Advisory Committee has recommended that Keefe recruit qualified contractors to do the work, rather than going through the formal proposal process.

The Board concurred with the recommendation.

#### **5 PURCHASE OF REAL ESTATE** - Kristy Mundt, Deputy County Attorney; Don Killeen, County Property Manager

Don Killeen, County Property Manager, said the Public Building Commission (PBC) has negotiated the purchase of property at 819 "H" Street (\$104,500). He said the City Council has approved the purchase and County Board action is needed at the Tuesday, October 31<sup>st</sup> County Board of Commissioners Meeting, as closing is scheduled for Wednesday, November 1<sup>st</sup>.

**NOTE:** The County Board of Commissioners will not meet on Tuesday, October 31<sup>st</sup>, due to the lack of a quorum.

Killeen said a family member has expressed interest in moving the house which would save the cost of demolition and abandoning the utilities.

In response to a question from Schorr, Killeen said a zoning change will be sought and said plans are to eventually convert the lot to parking for the government complex.

**6 A) COMPENSATION STUDY FOR UNREPRESENTED CLASSES; B) DIRECTOR EVALUATIONS; AND C) SALARIES FOR UNCLASSIFIED EMPLOYEES** - Don Taute, Personnel Director; John Cripe, Classification and Pay Manager

A) Compensation Study for Unrepresented Classes

John Cripe, Classification and Pay Manager, gave an overview of the Compensation Study for Unrepresented Classes. **NOTE:** There are 263 employees in the group and 137 classes. The counties surveyed were Douglas County, Nebraska (includes Omaha), Johnson County, Kansas (includes Overland Park), Linn County, Iowa (includes Cedar Rapids), Polk County, Iowa (includes Des Moines), Sedgwick County, Kansas (includes Wichita), and Shawnee County, Kansas (includes Topeka). Minnehaha County, South Dakota (includes Sioux Falls) was also contacted but didn't have sufficient matches. He said all of the job descriptions were reviewed and twelve jobs were found to be "off the market" by greater than one range (3.6%). That number dropped to seven after the new pay plan was instituted (those jobs averaged 1% less than the market). Cripe said he contacted the affected departments and asked them to assess what the impact of changing those jobs one range would have on other jobs within their departments (see Exhibit D).

In response to a question from Hudkins, Cripe said the Personnel Department is not proposing to move jobs that are off more than one range to the full amount, rather move them incrementally by one or two ranges and reset their eligibility.

Schorr asked Cripe to quantify the fiscal impact.

Cripe said he will look at each position and assess the fiscal impact, explaining that some of the moves would have occurred anyway.

B) Director Evaluations

Board consensus was to do the evaluations as a group, beginning in December.

Directors will be asked to review their job descriptions and their priority point systems prior to their evaluations.

### C) Salaries for Unclassified Employees

Cripe presented Directors Salary Information (Exhibit E).

The Board asked Cripe to show what the salaries would be using increase percentages of 2%, 2.5%, 3% and 3.5%. The Board also requested a job description for the Bailiffs.

**MOTION:** Hudkins moved and Heier seconded to direct Kerry Eagan, Chief Administrative Officer, to send a memorandum to the appropriate department heads requesting salary recommendations for unclassified, unrepresented positions, other than directors. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

The Personnel Department will ask Dean Settle, Community Mental Health Center Director, to provide a recommendation regarding the psychiatrist position.

Discussion also took place regarding Cori Beattie's position and whether to expand her duties (Beattie is the County Board Administrative Secretary).

#### **7 PENDING LITIGATION** - Mike Thew, Chief Deputy County Attorney

**MOTION:** Heier moved and Hudkins seconded to enter Executive Session at 10:33 a.m. for discussion of pending and potential litigation. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

**MOTION:** Heier moved and Workman seconded to exit Executive Session at 11:00 a.m. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

#### **8 INTRODUCTION OF JEFF MAUL, LINCOLN CONVENTION AND VISITORS BUREAU (CVB)** - Wendy Birdsall, Lincoln Chamber of Commerce President; Jeff Maul, Lincoln Convention and Visitors Bureau (CVB)

Wendy Birdsall, Lincoln Chamber of Commerce President, recommended that Jeff Maul be named the new Lincoln Convention and Visitors Bureau (CVB) Executive Director.

Eagan said the Lincoln Chamber of Commerce was to consult the Board regarding the search and said no further action is necessary on the part of the Board, pursuant to the contract.

The Board will recognize Maul's appointment at a future County Board of Commissioners Meeting.

## **ADDITIONS TO THE AGENDA**

### A. Motorsports Task Force Report

**MOTION:** Heier moved and Hudkins seconded to ask Darl Naumann, Administrative Assistant to the Mayor/Economic Development, to send the Board the Motorsports Task Force Final Report. Heier and Hudkins voted aye. Workman and Schorr voted no. Vote tied. Motion failed due to the lack of a majority.

**MOTION:** Heier moved and Hudkins seconded to ask Darl Naumann, Administrative Assistant to the Mayor/Economic Development, to report on whether the Motorsports Task Force was disbanded, and if so, who authorized its disbandment.

Schorr suggested that the Board ask Naumann to give a verbal report on the Motorsports Task Force at a Staff Meeting.

The maker of the motion and the seconder withdrew their motion.

### **9 FLU SHOTS FOR COUNTY EMPLOYEES** - Sue Eckley, County Risk Manager

Sue Eckley, County Risk Manager, said the Nebraska Occupational Health Clinic has offered to administer flu shots to employees at a cost of \$16 each. The Lincoln-Lancaster County Health Department had agreed to provide them at a cost of \$20 each.

Hudkins said he believes the Health Department should be given an opportunity to meet the Nebraska Occupational Health Clinic's price.

**MOTION:** Hudkins moved and Heier seconded to have the Nebraska Occupational Health Clinic provide employee flu shots, at a cost of \$16 each, if the Lincoln-Lancaster County Health Department is unable to match that price.

**FRIENDLY AMENDMENT:** Workman offered a friendly amendment to make it contingent upon review by the Purchasing Department of the appropriateness of asking the Lincoln-Lancaster County Health Department to match the Nebraska Occupational Health Clinic's price.

The maker of the motion and the seconder accepted the friendly amendment.

**ROLL CALL:** Heier, Hudkins, Workman and Schorr voted aye. Motion carried.

**MOTION:** Workman moved and Hudkins seconded to authorize Kerry Eagan, Chief Administrative Officer, to proceed with a paycheck insert on the flu shots at the appropriate time. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

## **10 ACTION ITEMS**

A. Notice Regarding Investment Changes for Deferred Compensation Program and Retirement (Exhibit F)

**MOTION:** Workman moved and Heier seconded to approve sending out the notice. Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

B. Microcomputer Request C#2006-400, \$2,226.30 from County Extension Budget for Two (2) Panasonic Projectors

**MOTION:** Heier moved and Workman seconded approval. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

## **11 ADMINISTRATIVE OFFICER REPORT**

A. Correspondence from Karl Fredrickson, City Public Works/Utilities Director, Regarding Denton Road

The Board scheduled discussion of the Denton Road issue with Karl Fredrickson, City Public Works/Utilities Director; Don Thomas, County Engineer; and representatives of the Nebraska Department of Roads on November 30<sup>th</sup>.

B. Correspondence from Larry Van Hunnik, Lancaster Manor Administrator, Regarding Supplemental Life Insurance

Eagan said he forwarded the letter to Bill Kostner, City Risk Manager; and Bill Thoreson, Benefits Specialist, for review. He said Kostner has agreed to research the matter and will report back to the Board.

C. Appointment of Duol Rot to Community Mental Health Center (CMHC) Advisory Committee

The Board scheduled the item on the Tuesday, November 7, 2006 Board of Commissioners Meeting agenda.

D. Request for No Engine Braking Sign (Highway 77 at West Pioneers Boulevard and West Old Cheney Road)

Eagan said the State is willing to post the sign if the County pays for it.

**MOTION:** Heier moved and Workman seconded to authorize the expenditure. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

E. Resignation Letter from Dave Kroeker, Budget and Fiscal Officer

**MOTION:** Workman moved and Heier seconded to accept the letter of resignation. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

F. Agenda Items for Joint Lincoln Public Schools (LPS)/County/City Meeting Scheduled for November 6, 2006 at 7:30 a.m. at the County-City Building, 555 South 10<sup>th</sup> Street, Room 113

The Board indicated a preference that the meeting be scheduled with the City-County Common Meeting on November 7, 2006.

The Chair exited the meeting at 11:32 and the Vice Chair assumed direction of the meeting.

G. Correspondence Regarding Miscellaneous Expenditure Resolution (See Agenda Packet)

Eagan said Bill Jarrett, Chief Deputy Sheriff, believes there was also to be reimbursement of gratuities (see agenda packet).

Board members indicated that was not their intent.

Eagan said the phrase "*except for meals and tips*" needs to be deleted from the fifth paragraph on Page Two of County Resolution No. 06-0114 (In the Matter of Adopting a Policy Governing the Expenditure of Public Funds for Payment or Reimbursement of Actual and Necessary Expenses Incurred by County Elected Officials, Appointed Officials, Employees and Volunteers). An amended version will be scheduled to be received and placed on file on the November 7, 2006 Board of Commissioners Meeting agenda.

## **12 DISCUSSION OF BOARD MEMBER MEETINGS**

A. Information Services Policy Committee (ISPC) - Stevens

No report.

D. District Energy Corporation - Hudkins, Heier

Hudkins said the District Energy Corporation authorized transfer of savings from lower natural gas prices to a rate stabilization fund and financing of an upgrade of the District Energy plant.

The Chair returned to the meeting at 11:35 and resumed direction of the meeting.

B. Monthly Meeting of Chair, Vice Chair and Mayor - Schorr, Workman

Workman said he and Schorr briefed the Mayor on the status of the jail.

Schorr said the Mayor indicated plans to call a meeting of the Keno Allocation Committee. The Mayor also expressed concerns regarding ambulance reimbursement.

C. Lincoln Independent Business Association (LIBA) Budget Monitoring - Stevens

No report.

D. District Energy Corporation - Hudkins, Heier

Item moved forward on the agenda.

E. Community Mental Health Center (CMHC) Advisory Board - Stevens

No report.

F. Youth Services Center Advisory Committee - Heier

Heier said youth activities were discussed.

G. Downtown Lincoln Association (DLA) Board of Directors - Stevens

No report.

**ADDITIONS TO THE AGENDA**

B. Tri-County Meeting Date (Exhibit A)

Board members indicated a preference to hold the meeting on November 30<sup>th</sup>, with November 29<sup>th</sup> suggested as an alternate date.

There was also consensus to reschedule the November 28<sup>th</sup> meeting with village representatives.

C. November Management Team Meeting

Board consensus was to cancel the meeting.

D. John Maher, the New Lincoln Journal Star Publisher

Board consensus was to extend an invitation to Maher for a "get-to-know-you" session.

**13 ADJOURNMENT**

**MOTION:** Heier moved and Hudkins seconded to adjourn the meeting at 11:45 a.m. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

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Bruce Medcalf  
Lancaster County Clerk